

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OLAJIDE AKUNROUNMU,

Plaintiff,

Case No. 17-13277

v.

Honorable John Corbett O'Meara

CITY OF DEARBORN, *et. al.*,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff Olajide Akunrounmu recently filed a 14-count complaint in this court. The causes of action are misnumbered and out-of-sequence; however, these clerical errors are inconsequential to this order.

The first seven counts identified in the complaint allege violations of 42 U.S.C. § 1983. The last count of the Complaint, identified as Count XII, alleges federal copyright infringement. The remaining counts, Count VIII, for defamation; Count IX, for intentional infliction of emotional distress; Count XIII, for civil conspiracy under Michigan common law; Count IX¹, for abuse of process under Michigan common law; Count X, for negligence, gross negligence and recklessness; and Count XI, for

¹This is the second claim in the Complaint to be labeled Count IX.

invasion of privacy under state law, allege causes of action arising under Michigan state law.

The parties to this action are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claims to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 282 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

ORDER

It is hereby **ORDERED** that Counts VIII, IX for intentional infliction of emotional distress, IX for abuse of process under Michigan common law, X, XI, and XIII are **DISMISSED WITHOUT PREJUDICE**.

s/John Corbett O'Meara
United States District Judge

Date: October 24, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, October 24, 2017, using the ECF system.

s/William Barkholz
Case Manager